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LSI Corporation and
Agere Systems Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BARNES & NOBLE, INC. and
BARNESANDNOBLE.COM LLC,

Plaintiffs,

v.

LSI CORPORATION and
AGERE SYSTEMS INC.,

Defendants.

Case No. 11-cv-02709 EMC

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
FIRST AMENDMENT TO JANUARY 31,
2012 CASE MANAGEMENT ORDER**

Trial Date: None set

Pursuant to Local Rule 6-2, Plaintiffs Barnes & Noble, Inc. and Barnesandnoble.com LLC
("Plaintiffs") and Defendants LSI Corporation and Agere Systems Inc. ("Defendants")
(collectively, the "Parties"), by and through their respective counsel of record, stipulate as recited
below and jointly request that the Court amend the current case management schedule as set forth

STIPULATION REGARDING TIME FOR
PATENT LOCAL RULE DISCLOSURES

CASE NO.: 11-CV-02709 EMC

1 below.

2 WHEREAS, the Court, by Order dated January 31, 2012 [Dkt. No. 84], issued a Case
3 Management Order setting forth the case schedule, providing that infringement contentions are
4 due on April 3, 2012;

5 WHEREAS, Defendants moved for entry of a protective order on November 30, 2011
6 [Dkt. No. 67];

7 WHEREAS, the Honorable United States Magistrate Judge Laurel Beeler issued an order
8 on February 23, 2012 [Dkt. No. 88], which requested additional submissions by the parties
9 regarding the form of the protective order on March 14, 2012;

10 WHEREAS, the Parties' dispute regarding the form of protective order has not yet been
11 resolved;

12 WHEREAS, Defendants have sought discovery from Plaintiffs regarding the design and
13 operation of the accused devices, but Plaintiffs have not yet completed their production of
14 documents responsive to this discovery;

15 WHEREAS, Defendants have requested such technical documents via subpoena from
16 third parties, several of whom have objected to the subpoenas and withheld responsive technical
17 information sought by the subpoenas pending the entry of a protective order;

18 WHEREAS, Defendants believe that the technical documents they seek are necessary for
19 the completion of Defendants' infringement contentions;

20 WHEREAS, Defendants contend, for the reasons set forth herein and those provided in
21 the accompanying Declaration of Ravi Ranganath in Support of the Joint Stipulation Regarding
22 First Amendment to January 31, 2012 Case Management Order, that an extension of the Patent
23 Local Rule disclosure deadlines, including the deadline to serve infringement contentions, is
24 necessary in light of Defendants' inability to obtain technical documents due largely to the
25 pending motion practice with regard to the protective order;

26 WHEREAS, Plaintiffs are amenable to such an extension but note that the remaining
27 deadlines set out in the Case Management Order would also need to be extended to accommodate
28 Plaintiffs' request;

THE PARTIES HEREBY STIPULATE that, in view of the foregoing, the deadlines for disclosures pursuant to the Court's Patent Local Rules shall be extended approximately fifteen weeks, subject to the Court's approval and schedule, as provided below:

Event	Proposed Date
Disclosure of Asserted Claims and Infringement Contentions and Accompanying Document Production	7/23/12
Disclosure of Invalidity Contentions and Accompanying Document Production	9/24/12
Exchange Proposed Terms and Claim Elements for Construction	10/25/12
Exchange Preliminary Claim Constructions and Supporting References	11/15/12
File Joint Claim Construction and Prehearing Statement	12/13/12
ADR Deadline	12/21/12
Completion of Claim Construction Discovery	1/10/13
Serve and File Opening Claim Construction Brief	1/24/13
Serve and File Claim Construction Response Brief	2/7/13
Serve and File Claim Construction Reply Brief	2/14/13
Serve and File Claim Construction Sur-Reply Brief	2/21/13
Tutorial (subject to the Court's availability)	2/25/13 & 2/26/13 & 2/28/13 (4 1/2 days)*
Claim Construction Hearing (subject to the Court's availability)	3/11/13, 3/12/13 & 3/13/13 & 3/14/13 (3 1/2 days)*

*Tutorial: Feb. 25, 26 and 28, 2012 (2:30-4:30 p.m.)

*Claim Construction Hearing: March 11, 12 and 14, 2013 (9:30 - 4:30 p.m.); March 13 (9:30 - 1:30 p.m.)

1 Dated: March 21, 2012

FENWICK & WEST LLP

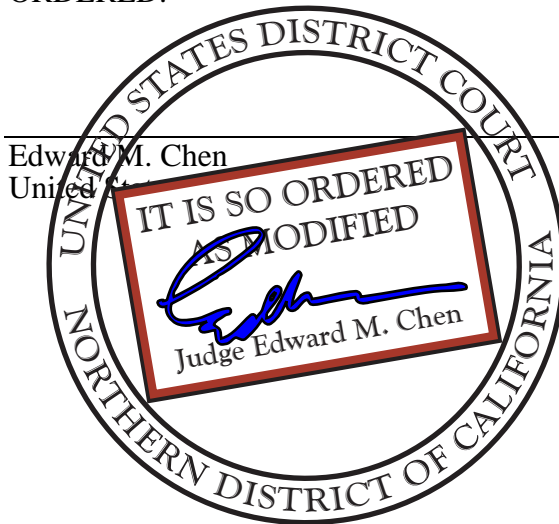
2
3 By: /s/ Charlene M. Morrow
4 Charlene M. Morrow
5 Attorneys for Defendants
LSI Corporation and Agere Systems Inc.

6 Dated: March 21, 2012

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SULLIVAN, LLP

7
8 By: /s/ Melissa J. Baily
9 Melissa J. Baily
10 Attorneys for Plaintiffs
11 Barnes & Noble, Inc. and
barnesandnoble.com LLC

12
13
14 PURSUANT TO STIPULATION, IT IS SO
15 ORDERED.



ATTESTATION PURSUANT TO GENERAL ORDER 45

Pursuant to General Order No. 45, § X(B), regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatories.

Dated: March 21, 2012

FENWICK & WEST LLP

By: /s/ Charlene M. Morrow
Charlene M. Morrow
Attorneys for Defendants
LSI Corporation and Agere Systems Inc.

FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW